

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

GEORGE IVERSON, Individually,

Plaintiff,

v.

**COPLEY PLAZA 2001 LLC, a Delaware
Limited Liability Company**

Defendant.

)
)
)
) **C.A. No. 04cv12076JLT**
)
)
)
)
)
)

JOINT MOTION TO STAY DISCOVERY

Pursuant to Federal Rules of Civil Procedure 7(b), Defendant, COPLEY PLAZA 2001 LLC, and Plaintiff, GEORGE IVERSON move this Court to stay any further discovery for sixty (60) days to allow the parties to complete their settlement discussions, based upon the following facts:

1. On December 8, 2004 Plaintiff's expert William J. Norkunas, president and CEO of ADA Help Inc., with the assent of Defendant conducted a Rule 35(b) inspection of Defendant's property, the Fairmont Copley Plaza Hotel, in order to inspect the premises relative to alleged violations of the American with Disabilities Act (ADA) 42 U.S.C. 12181, *et seq.*
2. On February 3, 2005, Plaintiff's expert issued his extensive and detailed report and plaintiff proposed a settlement agreement to resolve the issues in dispute.
3. In order to assess plaintiff's expert report and the alleged violations of the ADA, 42 U.S.C. 12181, *et seq.*, Defendant retained its own expert, John Salmen of Universal Designers & Consultants, Inc.
4. On March 25, 2005, Mr. Salmen conducted an inspection of the Fairmont Copley Plaza and he is expected to issue his report by April 1, 2005.

5. The parties anticipate that the issues in dispute will be substantially narrowed thereby allowing meaningful settlement discussions to proceed.
6. The parties believe that because on-going settlement discussions may lead to a resolution of the above-referenced matter, their resources are better devoted to that effort than costly and time consuming discovery.

WHEREFORE, the Defendant and Plaintiff respectfully request that this court stay discovery for sixty (60) days to allow the parties to complete their settlement discussions.

Respectfully submitted,

COPLEY PLAZA 2001, LIMITED LIABILITY
CORPORATION,

By their Attorneys,



Laurence J. Donoghue, Esq.

Mass BBO# 130140

Robert P. Joy, Esq.

Mass. BBO# 254820

Morgan, Brown & Joy, LLP

One Boston Place

Boston, MA 02108

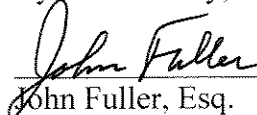
(617) 523-6666

Date: 3/30/05

and

GEORGE IVERSON

By his Attorney,



John Fuller, Esq. *signed with
expressed permission*

Admitted Pro Hac Vice

O. Oliver Wragg, Esq

Mass BBO# 643152

Fuller, Fuller & Associates, PA
12000 Biscayne Blvd., Suite 609
North Miami 33181
(305) 891-5199

Date: 3/30/05